

Message

From: Mutter, Andrew [mutter.andrew@epa.gov]
Sent: 11/30/2018 9:39:19 PM
To: Benevento, Douglas [benevento.douglas@epa.gov]
Subject: FW: Compilation 11/30/18

From: Agarwal, Ilena
Sent: Friday, November 30, 2018 2:39:10 PM (UTC-07:00) Mountain Time (US & Canada)
To: AO OPA OMR CLIPS
Subject: Compilation 11/30/18

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CNN: Pruitt escaped multiple EPA IG investigations by resigning, report says

<https://www.cnn.com/2018/11/29/politics/pruitt-epa-investigations/index.html>

By Lauren Fox and Gregory Wallace- Updated 9:32 PM ET, Thu November 29, 2018

(CNN)Scott Pruitt's resignation as Environmental Protection Agency administrator thwarted multiple investigations into his conduct in office, according to an inspector general report obtained by CNN.

The investigations included: the "Administrator renting a room in a townhouse owned by a lobbyist's wife"; that Pruitt "had subordinates at the EPA assist him in finding personal housing; that he used his official position and EPA staff to seek a 'business opportunity' for his wife with Chick-fil-A, a fast-food restaurant chain; that he enlisted subordinates at the EPA to secure a mattress for his personal use; and that he had his security detail run errands for him."

In each of those cases, "Mr. Pruitt resigned prior to being interviewed by investigators. For that reason, the (EPA Office of the Inspector General) deemed that the result of the investigation was inconclusive. The case will be closed."

In an additional case, investigators found "nothing of investigative merit supporting the allegation" that EPA ethics officials had been pressured into approving Pruitt's lease.

"Investigators interviewed potential victims, who stated that they did not feel pressured into rendering opinions pertaining to the lodging agreement," the report said.

A spokesman for the inspector general's office declined to comment prior to the document's public release on Friday. The Washington Post first revealed the findings of the report late Thursday.

Pruitt resigned from the agency in early July under a cloud of ethics scandals. The office of Inspector General Arthur Elkins indicated soon afterward that several of the probes involving Pruitt would continue. Several involved potential misuse of agency funds or agency staff.

Elkins has since retired. The report is signed by his successor, acting Inspector General Charles Sheehan.

In a message to Congress within the report, Sheehan notes that the agency had additional work involving allegations against Pruitt that "was not initiated ... due to Administrator Pruitt's resignation."

It did note that two audits involving Pruitt had been completed: one involving large raises given to his aides, and another involving his security detail.

The Hill: EPA watchdog closes two Pruitt investigations

<https://thehill.com/policy/energy-environment/419035-epa-watchdog-closes-two-pruitt-investigations>

BY TIMOTHY CAMA - 11/29/18 08:44 PM EST

The Environmental Protection Agency (EPA) closed two investigations it had opened into alleged misconduct by former chief Scott Pruitt due to his resignation.

In a report to Congress on Thursday, the EPA's Office of Inspector General (OIG) said it had been looking into whether Pruitt's cut-rate apartment rental from a lobbyist was an improper gift and whether numerous alleged actions by the former administrator constituted abuse of his position.

"Mr. Pruitt resigned prior to being interviewed by investigators. For that reason, the OIG deemed that the result of the investigation was inconclusive. The case will be closed," the office wrote in short summaries of both probes.

The probes were detailed in a semiannual report covering major OIG actions between April and September that was obtained by The Hill. The Washington Post first reported on the findings.

Pruitt resigned his post in July due to numerous scandals and ethics concerns that had surfaced, mostly through news reports, in the months prior.

For a period of time in 2017, Pruitt rented an apartment for just \$50 per night that he stayed in on Capitol Hill. It was owned by Vicki Hart, wife of Steven Hart, a lobbyist with business before the EPA.

Democrats alleged that the rental was an improper gift from a lobbyist. Pruitt denied the charge and said that EPA ethics staff had cleared the rental — but only after it became public, and without all of the relevant information.

The OIG said it looked into allegations that ethics staff were improperly pressured to approve the rental, and found the charges "not supported."

The second OIG probe was a catch-all for numerous allegations that surfaced this year, including "that EPA Administrator Scott Pruitt had subordinates at the EPA assist him in finding personal housing; that he used his official position and EPA staff to seek a 'business opportunity' for his wife with Chick-fil-A, a fast-food restaurant chain; that he enlisted subordinates at the EPA to secure a mattress for his personal use; and that he had his security detail run errands for him," the OIG said in its summary.

The OIG also said there were nine instances of "potentially threatening" comments directed toward Pruitt during the reporting period, but it did not find any to be a credible threat. Pruitt had previously cited similar threats to justify his unprecedented 24-hour security detail and other expensive security measures.

Huffington Post: EPA Watchdog Closes 2 Of The Many Probes Into Former Chief Scott Pruitt

Pruitt resigned in July amid mounting scandals and more than a dozen federal investigations into his dealings.

https://www.huffingtonpost.com/entry/scott-pruitt-epa-investigations-closed_us_5c00c322e4b0d04f48b29eb3

By Nick Visse- November 30, 2018

The Environmental Protection Agency's inspector general's office has closed two of its investigations into former Administrator Scott Pruitt, saying it couldn't complete them because he resigned before he was able to talk to investigators.

In a report to Congress on Thursday, the EPA's watchdog said it wasn't able to finish investigations into a sweetheart condo rental deal Pruitt made with a lobbyist or another probe into whether he abused his position and mismanaged members of his staff.

"Mr. Pruitt resigned prior to being interviewed by investigators. For that reason, the OIG deemed that the result of the investigation was inconclusive," the agency's Office of the Inspector General wrote. "The case will be closed."

News of the closed investigations was first reported by The Washington Post.

Pruitt resigned in July amid several massive scandals and more than a dozen federal investigations into his behavior leading the EPA. He was temporarily replaced by his former deputy, Andrew Wheeler, a former coal lobbyist. However, the White House said in November Wheeler would be nominated to become the permanent head of the agency.

Scott Pruitt has kept a low profile since his resignation as head of the Environmental Protection Agency in July. Before his departure, the condo rental — in which Pruitt paid just \$50 a night to rent a room from Vicki Hart, the husband of a lobbyist who had business before the EPA at the time — prompted a bipartisan outcry. Democrats charged that it amounted to an improper gift against agency rules.

The second probe shuttered this week surrounded allegations that Pruitt regularly used staff for personal errands and business. In one instance, Pruitt reportedly asked an aide to buy an "old mattress" from the Trump International Hotel in Washington for an unknown purpose.

Pruitt has kept a relatively low profile since his departure. In September, The New York Times reported that he was in talks to get a new job working as a consultant to the coal industry, although a representative for a Kentucky coal company said such discussions were "preliminary" at the time.

"Obviously, any discussions would not involve lobbying the federal government," the company, Alliance Resources Partners, said at the time.

Washington Post: EPA watchdog closes two probes into Scott Pruitt's conduct, citing his resignation

The agency's inspector general calls inquiries into his condo rental deal with a lobbyist and job search for his wife 'inconclusive.'

https://www.washingtonpost.com/energy-environment/2018/11/29/epa-watchdog-closes-two-probes-into-scott-pruitts-conduct-citing-his-resignation/?utm_term=.fd394ab9cf98

By Juliet Eilperin and Brady Dennis November 30 at 9:28 AM

The Environmental Protection Agency's Office of Inspector General has closed two probes into Scott Pruitt's conduct when he was EPA chief without reaching any conclusions because he resigned as administrator before he could be interviewed, according to a report the agency submitted to Congress on Thursday. The investigations focused on Pruitt's use of staff members for personal purposes and a condo rental deal he made with a lobbyist.

The office did not make a finding as to whether Pruitt violated federal law, according to its semiannual report, saying in each case that "the result of the investigation was inconclusive."

Pruitt, who stepped down from his post in July in the face of multiple investigations into his spending and management practices, came under scrutiny for a variety of possible conflicts of interest. In the case of the housing agreement, Pruitt paid just \$50 a night — and only when he was in town — for the Capitol Hill condo owned by lobbyist Vicki Hart.

Hart's husband, J. Steven Hart, is the former chairman of the firm Williams & Jensen. He lobbied the EPA during Pruitt's tenure, despite initially saying he did not do so in 2017 or 2018. Hart, who announced his retirement in April, contacted Pruitt's staff on behalf of Coca-Cola, the Financial Oversight and Management Control Board for Puerto Rico and Smithfield Foods, according to disclosure forms filed by his former law firm. Williams & Jensen eventually amended its lobbying disclosure reports for seven of Hart's clients to correct the record.

Emails released under the Freedom of Information Act also show Hart contacted Pruitt's chief of staff to encourage the EPA to hire a family friend. The person ultimately was not hired.

In interviews with The Washington Post and other media this spring, Hart said he did not lobby the agency in either 2017 or 2018. But The Post and other outlets reported Hart had helped line up a meeting between Pruitt and a Smithfield Foods executive vice president, who was acting as a representative of the Chesapeake Bay Commission. Hart and Smithfield Foods said the meeting was not tied to official company business.

The second inspector general inquiry focused on several allegations, according to the report, most of which were first reported in The Post. They include having "subordinates at the EPA assist him in finding personal housing; that he used his official position and EPA staff to seek a 'business opportunity' for his wife with Chick-fil-A; that he initiated subordinates at the EPA to secure a mattress for his personal use; and that he had his security detail run errands for him."

In both inquiries, the office said, it interviewed witnesses and reviewed records. However, it noted, "Mr. Pruitt resigned prior to being interviewed by investigators. For that reason, the OIG deemed that the result of the investigation was inconclusive."

The Office of Inspector General does not have subpoena power to interview officials after they have left government service, though they can choose to cooperate voluntarily.

The inspector general also dismissed as false the allegations that EPA ethics officials felt pressured to sign off on Pruitt's Capitol Hill housing arrangements.

"Investigators interviewed potential victims, who stated that they did not feel pressured into rendering opinions pertaining to the lodging arrangement," the report states. "A review of records showed nothing of investigative merit supporting the allegations. The allegation was not supported."

The new report also identified nine instances in which individuals had made "potentially threatening" comments about Pruitt in either emails, postcards or social media posts, but the inspector general determined in each instance that there was no credible threat. Pruitt and his chief security officer had cited such threats as justification for Pruitt's round-the-clock security detail and first-class travel.

Post Register: EPA says it won't ban M-44 'cyanide bombs'

https://www.postregister.com/farmandranch/idaho/epa-says-it-won-t-ban-m--cyanide-bombs/article_02ffdec6-8760-59b4-8ad4-2c8304dbce86.html

By MADELEINE COLES Idaho State Journal 7 hrs ago

An M-44 cyanide device is seen near Pocatello. The device, also known as a “cyanide bomb,” is spring-activated and shoots poison that is meant to kill predators that prey on livestock.

The Environmental Protection Agency has declined to ban the use of M-44 cyanide capsules, commonly known as cyanide bombs, in response to a 2017 petition requesting that all pending registrations for the capsules be canceled.

In August 2017, the Wild Earth Guardians and Center for Biological Diversity, along with several other wildlife conservation groups petitioned the EPA to outlaw the devices, which are used to kill coyotes, fox and wild dogs that pose a threat to livestock.

M-44s are tubes that are loaded with sodium cyanide and driven into the ground. They are then covered with bait to attract animals. When an animal bites down on the bait, the sodium cyanide powder is released into its mouth, killing it almost immediately.

The petition says the devices pose a significant threat to “nontarget” animals, which pose no threat to livestock, including family pets and endangered species.

According to the U.S. Division of Wildlife Services — the U.S. Department of Agriculture program through which the EPA has registered sodium cyanide for use in M-44s — 13,530 animals were killed by M-44s in 2016. However, 321 of those deaths were non-target animals.

In March 2017, Canyon Mansfield of Pocatello, who was then 14, accidentally set off a cyanide bomb that had been mistakenly placed on federal land near his house by a Wildlife Services worker.

Though Mansfield was not significantly injured by the sodium cyanide powder released by the device, his dog, a Labrador retriever named Casey, was killed in front of him.

Mark and Theresa Mansfield, Canyon’s parents, filed a lawsuit in June seeking reparations, saying that Canyon still has headaches from his exposure to the poison.

Theresa said she was not at all surprised by the EPA’s decision but was still dismayed.

“It is not going to change until there is a coffin brought to Washington, D.C.,” she said. “That’s when it’s going to change.”

She added that she was disappointed in the local government’s response to the issue, as well as the national government.

“I want to know where Mayor Blad is in all this because this happened in our community,” Theresa said. “And I want him to step up. This is his community, and these are his people, and he’s supposed to protect us.”

However, Blad said he sent a letter to the Department of Agriculture after the incident regarding the devices and met with local and regional officials to express his concern.

“While the situation that happened to the Mansfield family is extremely unfortunate, ultimately, the final decision on a ban of the devices is up to the federal government,” Blad said in an email.

The Mansfield’s story led to national scrutiny of M-44s and was noted in the petition, along with several other instances of domestic animals and pets being killed by the devices.

Additionally, as a result of the incident, Idaho introduced a statewide moratorium on the use of cyanide bombs on public lands.

However, the EPA said in a letter to the petitioners that the request to review registrations for M-44 devices would be denied, as there was no “substantial new information” submitted in the petition.

According to the letter, registrations are already reviewed, and there was not enough evidence given to provide justification for a special review of the registrations to take place.

Wild Earth Guardians and the Center for Biological Diversity said they would not let the EPA’s decision stop them.

“Cyanide traps are indiscriminate killers that just can’t be used safely,” Collette Adkins, an attorney and biologist at the Center for Biological Diversity, said in a press release. “We’ll keep fighting for a permanent nationwide ban, which is the only way to protect people, pets and imperiled wildlife from the EPA’s poison.”

Theresa also said she would continue to raise public awareness in the hopes that it will eventually bring about a change in policy.

“They say they’re saving all this money and livestock, but our lives are being jeopardized,” she said.

Politico: EPA watchdog couldn't find Pruitt travel records leaker

<https://www.politico.com/story/2018/11/30/epa-pruitt-travel-records-leaker-1034628>

By ALEX GUILLÉN 11/30/2018 10:57 AM EST

EPA's inspector general says it was unable to determine who leaked former Administrator Scott Pruitt's travel records to the press.

The Office of Inspector General's semiannual report to Congress says investigators looked into who leaked "without authorization" travel records about an unspecified trip abroad, a possible reference to Pruitt's December 2017 voyage to Morocco.

"Employees with access to the Administrator's travel account were interviewed and all denied committing the unauthorized release. The investigation was inconclusive," the OIG report says.

As reported Thursday, the OIG also reported closing investigations into Pruitt's condo rental and his use of EPA workers for personal tasks. Both were deemed inconclusive because Pruitt's resignation prevented investigators from interviewing him.

Market Tactic: EPA to Reset the Congressional Targets about Biofuel Program

<https://markettactic.com/epa-to-reset-the-congressional-targets-about-biofuel-program/791/>

Posted by Abigale Lormen | Nov 30, 2018 | Biotech, Industry, Markets, Politics | 0

According to two sources, the Environmental Protection Agency of the United States will replace their goals about their renewable fuel program that has been set a decade ago. The EPA will present new goals in January for the last three years of the program

This reset regarding the Renewable Fuel Standard is expected to stir up another fight between the oil companies and the corn growers. The oil companies want to get the smallest targets to help cut down the costs, while the corn growers set their eyes on the highest to help increase investments.

The U.S. RFS that has been in existence since 2007 will expire in 2022. It has helped the Corn Belt industry. The country has also benefited from it by weaning off from fossil fuels. Every year, the U.S. refiners need to blend diesel and gasoline to corn-based ethanol and other biofuels in larger amounts. Another option is to buy from companies that offer blending credits.

In spite of the subsidies, the policy costs the oil companies a lot of money. The production is ineffective and expensive, causing them to fail to reach their targets.

The two people who are prohibited from speaking about the subject publicly said that EPA would cut the supposed 2022 target three years earlier. While the agency has no specific number yet, they plan to bring the target to the current market situations.

The EPA is working on a proposal with stakeholders to reset the plan, said one official of the agency. They intend to finalize the biofuel plan by November 2019.

The Congress expected that by 2022, the production of biofuel would reach up to 36 billion gallons in volumes. However, the production only acquired 20 billion gallons in 2018. It is considered the most serious shortfall from advanced biofuels from algae, corn fiber, among other things.

The Trump administration has cut down the costs of compliance to help the refineries, causing the outrage of biofuel producers with the support of their legislature.

In a phone interview with the lobbyist Derrick Morgan, of the American Fuel and Petrochemical Manufacturers, he said that they are expecting to see lower volumes of biofuels.

Backers of biofuel want the program to retain higher targets during its final years, as it can help encourage many companies to invest in plant technology.

Chief executive Emily Skor, of Growth Energy, which is a biofuel trade group, said that their goal is to keep Renewable Fuel Standard forward and not backward.

HEARTLAND INSTITUTE: Creating a Crisis: Fear Surrounding 'Toxic' Air Pollution in Chicago

https://www.theepochtimes.com/creating-a-crisis-fear-surrounding-toxic-air-pollution-in-chicago_2724808.html

BY RICHARD TRZUPEK - November 30, 2018 Updated: November 30, 2018 Share

On one level, the following is a local story, because it was big news only in the Chicago metropolitan area (where I was born and still reside). On another level, it's more than that. It's the kind of story that could be written a hundred times over, all around the country.

The particulars change, but the themes are the same: misrepresented data taken out of context; public confusion, fear, and ultimately fury; irresponsible journalism; and politicians eager to exploit fear and anger to their advantage.

I am convinced the word "toxic" is misused far more often than it is properly used. No compound is inherently toxic, just as no compound is inherently safe. Toxicity is about dose, exposure route, and the vulnerability of the person exposed.

The U.S. Environmental Protection Agency (EPA) regulates certain air pollutants that are often called "toxic." But, the EPA does not use that word. Rather, it calls the 187 compounds that Congress decided deserve special attention under the Clean Air Act "hazardous air pollutants," or HAPs.

The EPA administers a vast national program to ensure that HAP emissions are controlled using the best technology available, and that these controls are properly operated and periodically checked to make sure HAP emissions that do occur do not present any unacceptable risk to the public.

The program, National Emissions Standards for Hazardous Air Pollutants (NESHAP), not only set the criteria for control of those 187 compounds, it also established best practices for many industries who use them.

The public does not realize how much time, money, and effort goes into ensuring that no one is exposed to "toxic" levels of HAP emissions. I don't blame the public for that lack of knowledge; there are only so many hours in the day to stay informed in an increasingly complex world.

I do blame agencies who mishandle data. I do blame organizations and journalists who whip up fear whenever the next "toxic" scare occurs. And I do blame public figures who can't wait to turn fear-mongering into votes.

Latest Scare

The last toxic scare in Chicagoland erupted in a suburb called Willowbrook earlier this year, and it had all of the aforementioned classic elements.

The incident that triggered the terror was when the EPA released a report summarizing the results of ambient air sampling conducted in Willowbrook near a facility owned and operated by Sterigenics. Sterigenics, as the name implies, sterilizes things. In the case of the Willowbrook facility, it sterilizes medical equipment (most doctors agree that sterile medical equipment is a good thing).

Like many similar facilities, Sterigenics uses an effective chemical called ethylene oxide to achieve sterilization. Ethylene oxide is also a HAP.

The EPA has set control standards, practices, and emission limits to ensure that ethylene oxide emissions from sterilization facilities are reduced sufficiently to prevent harm to humans and the environment, just as it has set control standards, practices, and emission limits for every other HAP it regulates.

Sterigenics was, and is, meeting all of the standards related to ethylene oxide emissions from its Willowbrook facility.

But, when the EPA reported that 18 ambient air samples taken in Willowbrook were determined to contain concentrations of ethylene oxide that exceeded their target one-in-a-million cancer-risk level, the press, environmental NGOs, and political types went nuts. And naturally, the public was swept along in the wave of terror.

The EPA screwed up handling this issue in a number of ways.

First, they didn't offer any context. They didn't explain how extensive and thorough the NESHAP program is. They didn't note that people are exposed to equally minute concentrations of ethylene oxide generated by natural sources all the time.

Second, they didn't emphasize how they threw out the majority (21 of 39) of samples taken because the ethylene oxide concentrations were too low (we call that cherry picking).

Third, they didn't properly explain that you can't draw long-term conclusions about health risks from short-term sampling.

And finally, they didn't explain that the supposed unacceptable cancer risk presented by the reported ethylene oxide analyses only applied if a resident stood in the same spot where the sample was taken and remained there for 33 years.

Stoking Panic

The EPA's mishandling of the data created a vacuum of uncertainty that was quickly filled by panic. Leading the charge was a familiar figure in Chicagoland panic-attack tales: Chicago Tribune environmental reporter Michael Hawthorne.

Hawthorne operated in accordance with a personal playbook that gave top billing to the environmental NGOs that were predictably shocked to find that the innocent residents of Willowbrook had supposedly been exposed to such awful dangers.

A more rational voice or two might get a couple of sentences worth of quotes in a Hawthorne story, three or four paragraphs or so from the end. But, as is typical of crusading journalists waving the green flag, Hawthorne crafts his stories so as to minimize the legitimacy of any dissenting points of view.

It was election season and politicians of every stripe hoped to cash in on the delirium. Using Hawthorne's inflammatory stories as a jumping off point, they piled on, accusing incumbents of falling asleep at the wheel while the ethylene oxide iceberg loomed ahead.

The Democratic Illinois Attorney General, Lisa Madigan, filed a lawsuit against Sterigenics on her own accord after the Illinois EPA (IEPA) refused to ask her to do so, for the very good reason that the IEPA chose to respond rationally and professionally to the purported crisis, recognizing that Sterigenics was clearly fulfilling all their regulatory obligations.

The incumbent Republican governor, Bruce Rauner, who was engaged in a bloody re-election battle in a decidedly blue state, called for Sterigenics to shut down their Willowbrook operation in the hope that it would get him a few more votes.

The wheels were already starting to come off the story, for the reasons I noted, when a bombshell hit last week. The EPA acknowledged that it might have misidentified another more innocuous compound as ethylene oxide in the lab work.

That was, one hopes, the final nail in the coffin of another supposed crisis that has been about symbolism, not science. Sadly, the Great Willowbrook Scare of 2018 will surely not be the last time that baseless fear and those willing to exploit it create a crisis where none exists.

When science takes a back seat to messaging, everyone loses.

Bloomberg: Trump administration continues RFS waivers

EPA is weighing exemption applications from 15 refineries.

<https://www.deltafarmpress.com/epa/trump-administration-continues-rfs-waivers>

by Jennifer A. Dlouhy and Mario Parker | Nov 30, 2018

The Trump administration has decided to keep waiving some oil refineries from U.S. biofuel mandates, despite pressure from ethanol advocates to end the practice, according to three people familiar with the matter.

The Environmental Protection Agency is weighing applications from 15 refineries for exemptions, even as regulators examine how to assess whether the facilities face a “disproportionate” economic hardship in satisfying annual biofuel blending quotas. Waivers will still be issued despite that review, which was prompted by a July federal court ruling faulting the EPA for denying a West Virginia refinery’s waiver request, said the people, who asked not to be named discussing internal policy decisions.

The decision to keep issuing waivers is a blow to ethanol producers and agricultural interests that have argued the practice undermines the 13-year-old Renewable Fuel Standard designed to encourage biofuel such as corn-based ethanol and soybean-based biodiesel. The EPA also will reject biofuel advocates’ request to redistribute waived quotas to non-exempted refineries when it issues final 2019 blending targets on Friday, according to people familiar with those plans.

“EPA continues to implement the Renewable Fuel Standard consistent with the law, including the statutory requirements laid out in the small refinery exemption program,” agency spokesman Michael Abboud said by email.

The waiver issue has emerged as a major flashpoint in the Renewable Fuel Standard program, which pits oil refiners against biofuel producers in a battle for gasoline market share. Both sides come from states that President Donald Trump won in 2016 and are crucial to his re-election prospects in 2020.

Under the fuel standard law, the government can exempt small refineries using no more than 75,000 barrels of crude oil per day from annual biofuel quotas as long as they face a significant economic hardship. Scores of refineries received the exemptions automatically until 2010, when the EPA began vetting applications individually, guided by recommendations from the Energy Department.

But recent court rulings have rebuked the EPA for denying waivers, with the Fourth Circuit Court of Appeals in Richmond, Virginia, saying in July that the agency was wrong to rely on an “error-riddled” Energy Department analysis in rejecting an exemption for Ergon West Virginia Inc.’s Newell, West Virginia, refinery. The EPA is still reviewing that decision.

Senators Chuck Grassley and Joni Ernst, both Republicans from Iowa, were set to press the issue with EPA Acting Administrator Andrew Wheeler on Wednesday.

The waiver practice also could be addressed as part of a broad EPA “reset” of the entire biofuel program -- a top-to-bottom overhaul that is likely to spur reduced annual quotas and could lead to changes to the waiver process. The EPA will effectively kick off that overhaul process when it finalizes the 2019 biofuel quotas.

In the meantime, federal law still compels the EPA to issue exemptions, said Senator John Barrasso, a Republican from Wyoming.

“The Clean Air Act requires EPA to provide relief to any small refinery that suffers disproportionate economic hardship under the Renewable Fuel Standard,” Barrasso said. “EPA must act within 90 days of receiving a petition for relief from a small refinery. That’s the law. The agency must follow the law.”

E&E News: State regulation review group partners with agency

<https://www.eenews.net/energywire/2018/11/30/stories/1060108247>

Mike Soraghan- November 30, 2018

EPA has entered into an agreement with an organization that reviews the effectiveness of state oil and gas regulators, but the two organizations left it for the future to decide what they will do together.

The agreement with Oklahoma City-based Stronger Inc., which stands for State Review of Oil and Natural Gas Environmental Regulations, was signed in a ceremony yesterday and announced in a press release with a photo.

The agreement states that the two organizations will have regular conference calls and "identify and implement projects and activities" in the interests of both.

The move is consistent with the efforts of Trump administration officials at EPA to prioritize state environmental regulation.

Stronger, governed by a board of industry representatives, government officials and environmental advocates, was formed about 19 years ago to review state oil and gas regulations. The group receives funding from EPA, the Department of Energy and the American Petroleum Institute.

Stronger Executive Director Ryan Steadley said one result of the partnership is that his group will be a project partner on EPA's upcoming compliance assistance website for the oil and gas sector.

"There will be more opportunities in the future that for now can be filed under 'unspecified,'" Steadley said.

"By collaborating with STRONGER, we can enhance our enforcement and compliance efforts while ensuring America's historic energy production under President Trump continues," EPA acting Administrator Andrew Wheeler said in the agency's press release.

E&E News: Ill. Democrats seek reform in wake of toxic emissions uproar

<https://www.eenews.net/eedaily/stories/1060108291/search?keyword=epa>

Sean Reilly- November 30, 2018

Following an outcry over emissions from several Chicago-area plants, some Illinois lawmakers are seeking to upgrade key government programs for gauging the potential dangers of hazardous chemicals.

EPA would have to ramp up the frequency of its National Air Toxics Assessments and ensure the results of the Integrated Risk Information System chemical evaluations are accessible to state and local health agencies. This is just one of several changes proposed in legislation introduced yesterday by five Democratic members of the state's congressional delegation.

The bill, which would also authorize a hefty amount of new spending, "will ensure that the EPA utilizes the best available scientific data to evaluate chemicals in a transparent and methodical manner and communicate their findings with appropriate federal, state and local officials," Rep. Bill Foster, the lead sponsor of H.R. 7189, said in a statement.

The air toxics assessments, which calculate concentrations of hazardous pollutants and the accompanying risk down to the census tract level, are now released every three years. Foster's bill would set a two-year timetable.

The bill also strives to improve coordination between EPA and the Agency for Toxic Substances and Disease Registry, a branch of the Health and Human Services Department that responds to environmental health emergencies.

In all, it would allow up to \$110 million in spending to help pay for the proposed changes. Other House sponsors are Reps. Brad Schneider and Dan Lipinski; a Senate version has been introduced by Sens. Tammy Duckworth and Dick Durbin.

The legislation comes after reported releases of a cancer-causing chemical known as ethylene oxide from several sterilization and chemical facilities caused an uproar. One of those plants, run by Sterigenics International LLC, has ties to outgoing Gov. Bruce Rauner (R); critics have accused EPA of failing to promptly inform area residents of the potential dangers.

Under separate legislation introduced earlier this week by the same group of lawmakers, EPA would have to set new Clean Air Act standards for ethylene oxide emissions. The agency would also have to let the public know within 30 days of any violations.

"This is about our public health, and we need action now," Schneider, the lead sponsor of H.R. 7179, said in a release. Durbin is the lead sponsor of S. 3671, the Senate counterpart.

Neither measure has a chance of movement in the current lame-duck session but could be reintroduced next year when Democrats will control the House. The legislation also contrasts to Republican attempts to undercut IRIS.

Last year, for example, GOP Senate appropriators unsuccessfully sought to end funding for the program, which assesses the risk posed by toxic chemicals.

This summer, the House Science, Space and Technology Committee approved H.R. 6468 by Rep. Andy Biggs (R-Ariz.), which would shift the assessment process from IRIS chemical experts to EPA employees in various program offices. Biggs' bill has not advanced further.

Although Republicans say IRIS does sloppy work, a report by the National Academies of Sciences, Engineering and Medicine this spring found the program had made substantial progress in adopting previously recommended changes (E&E News PM, April 11).

Last week, EPA said it may have overstated emissions of ethylene oxide at the Sterigenics plant, which sterilizes medical instruments (Greenwire, Nov. 26).

The American Chemistry Council, an industry trade group, also contends the agency's latest air toxics assessment exaggerates the perils posed by the widely used chemical. In September, the council formally petitioned for a "correction" (Greenwire, Sept. 25).

In an email, an ACC spokeswoman yesterday said the group has not received a response, but it opposes any use of the "significantly flawed" IRIS value for ethylene oxide "in EPA regulatory actions."

E&E News: State regulation review group partners with agency

<https://www.eenews.net/energywire/stories/1060108247/search?keyword=epa>

Mike Soraghan- November 30, 2018

EPA has entered into an agreement with an organization that reviews the effectiveness of state oil and gas regulators, but the two organizations left it for the future to decide what they will do together.

The agreement with Oklahoma City-based Stronger Inc., which stands for State Review of Oil and Natural Gas Environmental Regulations, was signed in a ceremony yesterday and announced in a press release with a photo.

The agreement states that the two organizations will have regular conference calls and "identify and implement projects and activities" in the interests of both.

The move is consistent with the efforts of Trump administration officials at EPA to prioritize state environmental regulation.

Stronger, governed by a board of industry representatives, government officials and environmental advocates, was formed about 19 years ago to review state oil and gas regulations. The group receives funding from EPA, the Department of Energy and the American Petroleum Institute.

Stronger Executive Director Ryan Steadley said one result of the partnership is that his group will be a project partner on EPA's upcoming compliance assistance website for the oil and gas sector.

"There will be more opportunities in the future that for now can be filed under 'unspecified,'" Steadley said.

"By collaborating with STRONGER, we can enhance our enforcement and compliance efforts while ensuring America's historic energy production under President Trump continues," EPA acting Administrator Andrew Wheeler said in the agency's press release.

Washington Examiner: Daily on Energy, presented by GAIN: EPA gets ready to roll out the welcome wagon for corn ethanol and refiners alike

<https://www.washingtonexaminer.com/daily-on-energy-presented-by-gain-epa-gets-ready-to-roll-out-the-welcome-wagon-for-corn-ethanol-and-refiners-alike>

by John Siciliano & Josh Siegel | November 30, 2018 11:59 AM

EPA GETS READY TO ROLL OUT THE WELCOME WAGON FOR CORN ETHANOL AND REFINERS ALIKE: The Environmental Protection Agency as soon as Friday is expected to release its finalized biofuel mandate for 2019, which will require more renewable fuels to be pumped into the nation's transportation system while leaving in place key exemptions for oil refiners.

The Renewable Fuel Standard, which is required by Congress to be set on Nov. 30, is expected to raise the requirements for refiners to blend diesel fuel derived from crop waste by 15 percent to nearly 5 billion gallons next year, according to a draft of the final regulation reviewed by Reuters.

What about corn ethanol? The mandate to blend corn ethanol in the nation's gasoline supply will remain static at 15 billion gallons, which is the limit that corn-based fuels can be pushed into the fuel system under the renewable fuel law. The remaining amount of the 32 billion gallons required to be blended in the next three, or so, years must come from advanced renewable fuels like cellulosic ethanol. But advanced fuels have failed to meet EPA production targets for years.

What does the RFS do? EPA is required to set annual targets for blending renewable fuels into the nation's fuel system, ratcheting up the amount of fuel each year.

However, the RFS program has suffered a number of setbacks in recent years, as the oil industry has managed to sway EPA to take into consideration market limitations to blending ethanol, forcing EPA to roll back the standard.

Trump's been pro-ethanol: Perhaps surprisingly, much of the rollback occurred under the Obama administration. President Trump has pledged to support the RFS as a promise to Iowa farmers. But he has landed in hot water and court for granting oil companies waivers, allowing them to forgo the ethanol requirement.

Chevron, a large multinational oil company, received the latest "hardship" waiver from EPA earlier this month, sparking criticism from the ethanol industry.

The 2019 RFS is not expected to make up for previous oil company exemptions that the ethanol industry has called for under the law.

BIOFUELS STILL NEED CONGRESS TO SHOW THEM SOME LOVE: Even with the expected boost in biodiesel from EPA, Congress still needs to do its part to reinstate expired tax credits for the fuel.

A report issued by FTI Consulting on Thursday showed that farmers lose 25 cents for each gallon of biodiesel produced without the tax credit in place.

Jamie McNerney, senior director at FTI, told John that a bill was dropped in the House earlier in the week that would reinstate the tax credit, along with many other clean energy subsidies. But the Senate has yet to act in introducing a companion bill, he said.

There is hope for a tax credit extenders package in December during the lame duck session of Congress, but nothing is for certain right now.

Welcome to Daily on Energy, compiled by Washington Examiner Energy and Environment Writers John Siciliano (@JohnDSiciliano) and Josh Siegel (@SiegelScribe). Email dailyonenergy@washingtonexaminer.com for tips, suggestions, calendar items and anything else. If a friend sent this to you and you'd like to sign up, [click here](#). If signing up doesn't work, shoot us an email and we'll add you to our list.

TOP DEMOCRAT SAYS EXTENSION OF TAX CREDIT 'BIGGEST DRIVER' TO MORE ELECTRIC VEHICLE USE: Rep. Paul Tonko, D-N.Y., on Friday called for his colleagues to extend or expand the federal electric vehicle tax credit as one of its first moves in the new Congress.

Tonko delivered the keynote address at an event in Washington hosted by utility trade group Edison Electric Institute, which was celebrating the milestone of 1 million electric vehicles now being driven on U.S. roads. Attendees at the event included representatives from utilities such as Exelon, and automakers General Motors, BMW, and Nissan.

Tonko outlines potential 'policy wins': Tonko, who is expected in the new Democratically-controlled House to lead the Energy and Commerce Committee's subcommittee on environment, said extending or expanding the tax credit would be the "biggest driver" of more electric vehicle adoption.

He added that Congress should focus on achieving "singles and doubles" with policy to boost electrification, such as accelerating the deployment of electric vehicle charging stations, and providing incentives for localities to purchase electric buses.

Push for Congress to expand tax credit: The electric vehicle industry is calling for Congress to reform the \$7,500-per-vehicle tax credit for electric and plug-in hybrid vehicles, primarily by lifting the individual manufacturer cap, and allowing the credit to be used into future years.

The credit, which does not have an expiration date, is capped at 200,000 vehicles sold per automaker. The effort to expand the credit has bipartisan support, with Republican Sen. Dean Heller, whose state of Nevada houses Tesla battery manufacturing, recently introducing a bill to remove the limit on manufacturers.

Trump disrupts the politics: Trump recently drew attention to the debate over the electric vehicle tax credit when he threatened to retaliate against General Motors for laying off thousands of workers and shuttering several North American facilities to focus attention on emissions-free and self-driving vehicles.

Trump threatened Tuesday to cut GM's federal subsidies, including for electric vehicles.

Only Congress has the power to alter the electric vehicle tax credit, so it's unclear what Trump meant, and he could not on his own limit the company's ability to use the subsidy, but his threat could undermine the effort in Congress to expand the credit.

GM is already close to using up its availability of the tax credit, and has called for its expansion. Tesla has already reached the limit.

GENERAL MOTORS IS UNFAZED BY TRUMP'S THREATS, PREDICTS 'ALL-ELECTRIC FUTURE': Dan Turton, GM's vice president of North American policy, said Friday that the company took notice of Trump's comments, but is unconcerned the president will hamper the progress of electric vehicles. He said he GM foresees an "all-electric future."

"We pay a lot of attention to what any president says. But the reality is this electrification movement is going forward anyway," Turton said in a response to a question from Josh at the event hosted by Edison Electric Institute. "Not one thing will make it happen or not. The public debate is going to go on as it does. With the tax credit there is opposing views on that. Our job as policy representatives is to be out and engage on those conversations and win the day. How the public is responding, I think we will win that day."

FEDS TO ALLOW COMPANIES TO HARM WHALES AS THEY SURVEY FOR OIL OFF THE COAST: The National Oceanic and Atmospheric Administration will announce its decision later on Friday to allow companies to accidentally harm or injure marine life by conducting geophysical surveys in support of oil and natural gas exploration off the Atlantic Ocean.

Environmentalists says seismic survey methods used by companies to map the ocean's continental shelf for oil deposits harms marine mammals, and should be banned. The Trump administration argues that the surveys are needed to understand if it is feasible to drill off the Atlantic, a region that has been untouched by offshore energy development.

Upsetting the majority: Rep. Raul Grijalva, the top Democrat on the House Natural Resources Committee, called the forthcoming decision ironic, given the recent findings of a national climate change report.

"There is nothing this administration won't do for the fossil fuel industry, including destroying local economies and ruining endangered species habitats," Grijalva said in a statement.

Vowing oversight: Grijalva is expected to lead the committee next year after the Democrats took back the House in November. He vowed to use the committee to "provide serious checks and balances on this behavior from day one in the next Congress."

MEANWHILE...KIDS APPEAL CONSTITUTIONAL CLIMATE CHANGE LAWSUIT IN ALASKA: A group of 16 youths is appealing a decision by the Alaskan superior court last month to throw out their climate change claims.

The appeal was sent to the state's Supreme Court late Thursday, noting that it comes just days after the U.S. national climate change assessment was released showing that it would be devastating not to combat global warming.

What are they appealing? The state's superior court had concluded that the youths did not point to any policy of the state that has contributed to climate change. The court ruled that the claims must be addressed by Alaska's executive and legislative branches of governments.

The Trump administration is fighting a similar lawsuit making its way through the federal court system. The youths in both cases argue that government actions have helped create an energy system that has spurred on global warming, undermining their constitutional rights for personal well-being.

SENATE TO VOTE ON FERC NOMINEE MCNAMEE NEXT WEEK: The full Senate plans to vote next week on Trump's nomination of Bernard McNamee to serve on the Federal Energy Regulatory Commission, after Majority Leader Mitch McConnell, R-Ky., filed cloture on the nominee.

The move signals McNamee has enough support from Republicans, and perhaps a few Democrats, to advance in the Senate -- which the GOP controls by a 51-49 seat margin -- despite controversy over comments he made critical of renewable energy.

He succeeded because Republicans -- mostly importantly, committee chairwoman Lisa Murkowski, R-Alaska -- stood by McNamee after a newly unearthed video from earlier this year showed him criticizing renewable energy and supporting fossil fuels, prompting critics to renew questions about his independence.

McNamee, who was working for the conservative Texas Public Policy Foundation, delivered a speech in February to Texas lawmakers in which he said fossil fuels are "key to our way of life," but renewable energy "screws up the whole physics of the grid."

THIRD REPUBLICAN ENDORSES BIPARTISAN CARBON TAX BILL: Rep. Dave Trott, R-Mich., on Thursday became the third GOP member to co-sponsor the first bipartisan carbon tax legislation in nearly a decade, introduced earlier this week.

Trott joins Reps. Francis Rooney, R-Fla., and Brian Fitzpatrick, R-Pa., along with Rep. Ted Deutch of Florida, the Democratic co-chair of the bipartisan Climate Solutions Caucus, Charlie Crist, D-Fla., and John Delaney, D, Md.

The bill would impose a tax of \$15 per ton of carbon dioxide in 2019, increasing \$10 each year, rising to nearly \$100 per ton by 2030.

It distributes all of the proceeds from the tax into equal portions in the form of a monthly rebate to American households.

REPUBLICANS WARM UP TO CLIMATE CHANGE: In a huge shift, a majority of Republicans now believe in climate change, but many still don't consider it to be a manmade phenomenon, according to a poll released Thursday.

Of the Republican U.S. adults surveyed by Monmouth University, 64 percent attribute extreme weather patterns and rising sea levels to a changing climate, the new study found. That figure represents a 15-percentage point spike for GOP respondents since Monmouth began asking the question in 2015. In contrast, 92 percent of Democrats share the same sentiment, up from 85 percent in 2015.

There are caveats: While a plurality of Republicans may believe in climate change, only 13 percent think human activity is a driving factor behind the issue. That number is stagnant compared to Monmouth's previous research from 2015.

More than 2-in-5 Democrats, however, consider climate change to be exacerbated by people, an increase from 39 percent three years ago.

Although more than half of GOP respondents think the government should take action to mitigate the effects of climate change, 55 percent have little confidence in Congress's willingness to do so in the next few years. The same percentage of the survey takers doubt lawmakers can take meaningful action.

The poll was conducted after the deadly California wildfires broke out earlier this month but before the Trump administration published its National Climate Assessment on Black Friday.

EPA INSPECTOR GENERAL SHUTS DOWN TWO PROBES INTO SCOTT PRUITT: The EPA's inspector general has shut down two investigations into former administrator Scott Pruitt, according to a report posted online Friday, because he resigned before he could be interviewed.

The internal watchdog did not make a conclusion on whether Pruitt violated federal law in either case.

The closed investigations focused on Pruitt's \$50-per-night condo rental deal with the wife of an energy lobbyist who had business before the EPA, and his use of agency staff for personal tasks. The latter probe covered allegations that Pruitt sent his security personnel on errands, asked employees to secure a mattress for him from the Trump hotel, and used them to try to find a job for his wife with Chick-fil-A.

ZINKE STRUGGLES TO RESPOND TO QUESTIONS ABOUT INVESTIGATIONS: Interior Secretary Ryan Zinke snapped back at a Fox News host late Thursday after being asked about more than a dozen investigations into his use of government resources.

Zinke fumbled for words when Shannon Bream asked about criticism by the Center for Western Priorities regarding his actions in office, including 18 requested and opened investigations the organization has chronicled.

Zinke said he was "10 for 10," then called for his accuser to be investigated as a front for the Democratic Party.

"I've been investigated on my socks. I have had been investigated taking jets, which I don't, completed," said Zinke.

"And you know what they all say? Ryan Zinke follows all the rules, all the regulations, all the procedures," he said. "This is politically motivated. In Montana, we call it 'BS.' Organizations like Western Values Project that pretends to be a 501(c)3 — an advocacy group — I would like to see their books. I think everyone would like to see the books, way they're funded. They are operatives from the Democratic Party. They are hacks. They have always been. And they need to be investigated."

In October, the Center for Western Priorities said it was aware of 18 probes the Office of Special Counsel and Office of Inspector General had launched or been asked by members of Congress to launch into Zinke.

RUNDOWN

Bloomberg Flood policy standoff tests Democrats' promise of climate action

Wall Street Journal Prized 'rare earth' minerals feel scorch of tariffs

New York Times Trump's 'energy dominance' doctrine is undermined by climate change

Axios Coal CEO losing hope in salvation from Trump

The Fence Post: EPA fails to account for future refinery waivers in final 2019 RVO rule

<https://www.thefencepost.com/news/epa-fails-to-account-for-future-refinery-waivers-in-final-2019-rvo-rule/>

-NCGA November 30, 2018

WASHINGTON – The National Corn Growers Association today said the EPA's final 2019 Renewable Volume Obligation rule under the Renewable Fuel Standard moves renewable fuels and energy security forward in 2019, but the growth will only be realized if EPA does not grant refiners further RFS exemptions.

"We are pleased the Environmental Protection Agency maintained the implied conventional ethanol volume of 15 billion gallons and increased the total 2019 renewable fuel volume as intended by the RFS. However, EPA granted refineries 2.25 billion gallons in RFS waivers over the past year but did nothing to account for those lost volumes. If EPA continues to grant large amounts of waivers in this manner, the volumes set in this final rule cannot be met," said NCGA President Lynn Chrisp.

In comments on the rule, NCGA and its grower members urged EPA to take steps to maintain the integrity of the RFS, including projecting 2019 waivers and accounting for those gallons to keep the RFS volumes whole. By failing to account for waivers in this final rule, EPA ensures that any 2019 exemptions will reduce the volumes the agency sets today.

"Ethanol has been and continues to be a strong market for U.S. corn farmers, especially during these tough times in the farm economy. When the EPA continues to grant waivers and does not account for those volumes in this rule, domestic demand for our crop is lost, impacting farmers' livelihood and the economy of rural America," Chrisp said.

NCGA will continue to work with EPA to ensure the full energy and environmental benefits of the RFS are achieved. As EPA implements this volume rule, as well as considers pending petitions for RFS exemptions, NCGA urges the agency to prevent further demand destruction and support a strong RFS that will benefit America's farmers and rural communities, provide cleaner air and boost our nation's energy security.

Freight Waves: Tyson Foods to test opposed-piston technology engine

<https://www.freightwaves.com/news/equipment/tyson-foods-to-test-opposed-piston-engine>

Brian Straight- November 30, 2018

With recent news that the Environmental Protection Agency (EPA) plans to address oxides of nitrogen (NOx) emissions from heavy-duty trucks, it is timely that a demonstrator program is working toward developing an alternative combustion engine that would meet a potentially lower limit.

The Achates Power program, managed by CALSTART and partially funded by the California Air Resources Board (CARB), has developed an opposed-piston (OP) engine that program organizers say will reduce NOx levels to 90% of current standards. Current NOx levels are set at 0.20 g/bhp-hr., and CARB and others are pushing the EPA to lower that level by – surprisingly, 90%.

Regardless of what the final levels are set at, the Achates program has picked up another test fleet in Tyson Foods, which plans to deploy an OP engine-equipped tractor in a feasibility study early next year. The pilot, expected to last into the second quarter of 2020, will delivery customer shipments from Tyson's Tolleson, AZ, facility, throughout California, explains Rob Lyall, vice president of transportation.

"We actively research emerging motor technologies to further reduce freight costs and lessen our environmental footprint," Lyall tells FreightWaves. "The 15% reduced CO2 emissions and 90% NOx emission reductions of the Achates Power opposed-piston engine are promising features for an engine that has potential to meet the needs of our fleet."

According to Achates, its OP technology utilizes "two pistons per cylinder, working in opposite reciprocating action, these engines do not need cylinder heads which are a major contributor to heat losses in conventional engines. Ports in the cylinder walls replace the complex poppet valves and friction-creating valve trains of conventional engines. The intake ports at one end of the cylinder and exhaust ports at the other are opened by the piston motion and enable efficient uniflow air scavenging."

While Tyson is always looking for technologies that could help it meet its 30 by 30 environmental target (30% reduction in greenhouse gas emissions by 2030), the size and scope of the fleet is a concern when considering alternative power engines, Lyall notes.

The company is also launching a test of an all-electric terminal tractor.

"While fuel efficiency and emission reduction are the primary performance factors of this pilot, we're also interested in comparing this technology to current internal combustion engine technology," Lyall says. "Our long-term goal is to stay on the leading edge of motor technologies that increase engine performance while minimalizing maintenance requirements. These are two factors that can impact total freight costs."

The Achates Power engine project is being funded with a \$7M grant awarded by CARB. It calls for the development of two Achates Power OP engines into two separate Class 8 trucks to be operational by 2020. Tyson will be trialing one of those and Walmart the other. Tyson's engine will be inputted into a Peterbilt 579 (NASDAQ: PCAR) model built specifically for the Achates engine.

“Performance and efficiency are primary factors we will be evaluating through the pilot project,” Lyall points out. “Achates Power reports the engine will perform comparably to existing engine designs with respect to horsepower, torque and load capacity. The technology is promising and we’re eager to see the results.”

Achates says it has 10 “concurrent customers” with contracts covering five different engine applications: passenger vehicle, light commercial, heavy commercial, military, and marine/stationary power.

Tyson will be working with the programs other participants to discuss maintenance of the vehicle.

The project team consists of Aramco Services, BASF, Corning, Dana, Delphi, Eaton (NYSE: ETN), Faurecia, Federal Mogul, Honeywell (NYSE: HON), Litens and Federal Mogul, along with the Southwest Research Institute. CALSTART is managing the project and will collect and analyze emissions and performance data.

EPA IG: Pruitt's resignation left ethics probes inconclusive

MICHAEL BIESECKER Nov 30, 2018 Updated 10 min ago

WASHINGTON (AP) — The internal watchdog at the Environmental Protection Agency has closed two probes into the conduct of former Administrator Scott Pruitt as inconclusive because investigators were unable to interview him before he resigned.

EPA Acting Inspector General Charles Sheehan said in a report sent to Congress this week that Pruitt's departure left his investigators unable to complete reviews into Pruitt's bargain-rate rental of Capitol Hill condo from the wife of an industry lobbyist and efforts by Pruitt's government staff to pursue business opportunities for his wife, including seeking a Chick-fil-A fast-food franchise.

Pruitt, an Oklahoma Republican and staunch fossil fuels advocate, was forced to resign in July following a sting of ethics scandals. President Donald Trump has indicated he would nominate Pruitt's former deputy, ex-coal industry lobbyist and Acting EPA Administrator Andrew Wheeler, to serve as his permanent replacement. Wheeler has been filling the role on a temporary basis.

"Mr. Pruitt resigned prior to being interviewed by investigators," Sheehan said in his office's semi-annual report to Congress. "For that reason, the OIG deemed that the result of the investigation was inconclusive. The case will be closed." OIG stands for office of the inspector general.

Corruption allegations have swirled against Pruitt since March, when media reports first revealed the-then EPA chief had rented a luxury Capitol Hill condo for just \$50 a night from a company co-owned by the wife of J. Steven Hart, then-chairman of the powerhouse Washington lobbying firm Williams & Jensen.

Pruitt's daughter, then a White House summer intern, stayed in a second bedroom at the condo at no additional cost. On Pruitt's 2017 condo lease, a copy of which was reviewed by The Associated Press, Steven Hart's name was originally typed in as "landlord" but was scratched out. The name of his wife, health care lobbyist Vicki Hart, was scribbled in.

Both Hart and Pruitt issued public denials that the lobbyist had sought to influence EPA policies on behalf of his clients. But internal emails, calendars and retroactive lobbying disclosure reports filed following an internal review by Hart's firm showed that Pruitt had met with Hart in his office at EPA headquarters and the lobbyist had reached out to Pruitt's chief of staff to suggest favored candidates for key appointments.

In his report to Congress, Sheehan also wrote that investigators found no support for allegations leveled against a senior EPA manager. Democratic lawmakers had asked the IG's office to probe reports that Pruitt's top policy aide, Samantha Dravis, received pay for months she didn't show up for work. Sheehan said investigators reviewed records and interviewed witnesses who said Dravis was often at EPA headquarters and attended meetings during the time frame in question.

Dravis, considered to have been among Pruitt's closest political aides, resigned from EPA in April.

Sheehan said investigators also found no evidence to support allegations that career EPA ethics lawyers were improperly influenced by GOP political appointees to issue legal opinions supporting Pruitt's condo lease. After initially issuing statements saying Pruitt's lease didn't violate ethics rules, EPA lawyers later said they weren't told key details about the unusual arrangement by Pruitt's staff.

"Investigators interviewed potential victims, who stated that they did not feel pressured into rendering opinions pertaining to the lodging agreement," wrote Sheehan, a career EPA lawyer serving as the office's acting director since the resignation of longtime Inspector General Arthur A. Elkins in October.

Six Democratic lawmakers with oversight of EPA asked FBI Director Chris Wray earlier this year to investigate whether Pruitt repeatedly violated federal anti-corruption laws by seeking to leverage his government position for personal gain. There has been no public indication that the Justice Department is pursuing a criminal case against the former EPA chief.

Congressional Democrats did not immediately respond Friday whether they will seek to hold hearings on Pruitt's conduct after they gain control of the House in January, giving them the authority to issue subpoenas.

Pruitt was forced out by the White House last summer following a series of revelations involving pricey trips with first-class airline seats and unusual security spending, including a \$43,000 soundproof booth for making private phone calls.

Pruitt sought and received unprecedented 24-hour-a-day protection from armed officers, resulting in a swollen 20-member security detail that blew through overtime budgets and racked up expenses of more than \$3 million. An audit of Pruitt's Protective Service Detail released earlier this year found that the agency had no approved standard operating procedures to address the level of protection required or how those services are provided.

Pruitt also routinely ordered his EPA staff to do personal chores for him, including picking up his dry cleaning and trying to obtain a used Trump hotel mattress for his apartment. He had also enlisted his staff to contact conservative groups and companies as part of a concerted effort to find a six-figure job for his unemployed spouse.

E&E News: Conservative oil state trumps the president on methane

<https://www.eenews.net/climatewire/stories/1060108297/search?keyword=epa>

Benjamin Storrow, reporter Published: Friday, November 30, 2018

Wyoming is taking steps to reduce methane emissions. Bureau of Land Management Wyoming

President Trump has spent much of the past two years dismantling methane regulations governing oil and gas wells.

But one conservative state is moving in the opposite direction. Wyoming is expected to finalize a statewide rule in the coming weeks that aims to limit methane leaks from new oil and gas wells.

The rule won't fully replace federal standards, according to environmentalists. EPA is attempting to water down regulations on new wells, and the Bureau of Land Management recently scrapped a rule to prevent well leaks and flaring on public land.

Still, Wyoming's plan represents a major step forward in efforts to cut methane emissions from the oil patch.

"The first thing I would say is any sort of methane emission reduction in Wyoming would have a fairly significant impact overall, simply because the volume produced on federal land in the state is sizable," said Warren King, an energy and climate specialist at the Wilderness Society. "It really helps to illustrate some of the arguments that we have been making while the BLM revision was being developed, that these are cost-effective and reasonable regulations."

Wyoming accounts for roughly 20 percent of all federal onshore oil production and 43 percent of federal gas production, according to a recent Wilderness Society report. Some 17.7 million cubic feet of methane, the main component of natural gas, was vented, flared or leaked from oil field equipment between 2008 and 2017, the report found. That amounts to roughly \$65 million in lost gas.

The Cowboy State has for several years imposed strict regulations on operators in the Upper Green River Basin, a gas-rich stretch of western Wyoming where ozone emissions once exceeded federal health standards.

Yet much of the new oil production in Wyoming today is happening in the eastern part of the state, in the Powder River Basin. Output there has surged in recent years, though a recent dip in crude prices has raised questions about how long the boomlet will continue.

The state's new standards would extend to the basin, applying to new and modified wells. Operators would be required to check their equipment twice a year for leaks and repair them where needed. The requirement is stricter than the proposal by EPA, which outlined a plan to reduce its inspection requirements to once a year.

Oil and gas operators in Wyoming have reservations about the state plan, but they seem willing to give it a shot. The requirements could become more onerous over time, as production drops and inspection requirements remain the same, said John Robitaille, vice president of the Petroleum Association of Wyoming, a trade group.

The state has signaled that it's willing to revisit its standards if EPA's latest proposal is finalized, he noted.

"I would say we're wading in and trying to get our feet underneath us and learning as we go," Robitaille said. "We're looking at it always, watching it to make sure we don't put anyone out of business. We certainly don't want to do that."

Still, he added, "this is something we agreed we could accomplish."

Wyoming's move means methane could soon be regulated along the spine of the Rockies. Colorado was the first state in the nation to impose leak detection and repair requirements on oil field operators. And New Mexico's incoming governor has said she intends to cut methane emissions from her state's prolific oil and gas fields (Climatewire, Nov. 26).

Not everyone is moving in the same direction. North Dakota recently weakened its standards on flaring, the practice of burning off excess natural gas. And a patchwork of state rules is a poor substitute for a federal standard, environmentalists said.

Wyoming is illustrative of the dynamic. Unlike its standards in the Upper Green River Basin, Wyoming's new statewide requirements exempt existing oil and gas wells, a large potential source of methane emissions.

Greens are hopeful that the incoming governor, Mark Gordon, a Republican who once did a turn as the head of the local Sierra Club chapter, will take up the task. Gordon pledged on the campaign trail to limit methane waste.

"We continue to think that's an opportunity for the state to take up rules under Gov.-elect Gordon that are modeled on what they've done in the Upper Green," said Jon Goldstein, director of legislative affairs at the Environmental Defense Fund. "I'd say we're optimistic about working with him when he comes into office in January."

Chicago Tribune: East Chicago residents push for better clean up plan for West Calumet site

<https://www.chicagotribune.com/suburbs/post-tribune/news/ct-ptb-east-chicago-epa-zone-one-st-1201-story.html>

By Craig Lyon- November 30, 2018, 11:35 AM

While the future use of the former West Calumet Housing Complex site in East Chicago is still undetermined, the U.S. Environmental Protection Agency is moving forward with a proposed cleanup plan that residents don't think goes far enough.

The EPA is moving forward with a plan to clean the former West Calumet site to residential standards, which means removing contaminated soil down to a depth of two feet, but noted that contingencies are in place should the city identify another use for the property.

Residents pushed the EPA for a more thorough cleanup of the site, removing debris from the demolished Anaconda plant that is buried beneath the former housing complex, and opposed the potential for an industrial or commercial use at the site.

"Let's not repeat the mistakes of the past," said Cheryl Oliver.

The EPA says parts of the old smelter are still buried there, Oliver said, and the cleanup plan would leave that debris in place. Oliver said years from now, people will come back and question why that was done.

Oliver said East Chicago seen improvements, but the city doesn't seem to have a plan for Calumet.

"I say Zone 1 should be as glorious as what we see on Main Street or in the Harbor," Oliver said. "Let's make Calumet beautiful again."

Joseph Browder said the EPA is saying it is going to clean up Zone 1 but the city might move industry into the area.

"We're trading one pollution for another," Browder said.

The EPA this month released its plan to clear lead- and arsenic-contaminated soil at the now-vacant West Calumet Housing Complex and Goodman Park in East Chicago, which would mean removing two feet of contaminated soil and replacing it with clean fill.

The plan would mean digging up more than 160,000 cubic yards of contaminated soil, according to the EPA, and cost roughly \$26 million. The EPA estimates the cleanup would take seven months.

Tom Alcamo, an EPA remedial project manager, said the agency reviewed several alternatives, including one that excavated out the debris at the site. Alcamo said removing the debris, which sits roughly 11 feet down, would be more costly and take more time.

The EPA said that removal alternative would cost upward of \$48 million and take 14 months.

Alcamo said if the city opts for a commercial or industrial site, the EPA could wind up altering its remedy.

Lake County Surveyor Bill Emerson Jr. said he thought the only responsible thing for the EPA to do is to remove the contaminated material and prevent any future leeching of the contaminants left buried at the site.

"I think you should remove it," Emerson said.

The EPA plans to clean the site to residential standards not knowing what the city's future plans are for the area.

"The residential level clean up can accommodate any of those things," said Doug Ballotti, EPA Region 5 acting director of the Superfund Division.

But the EPA has planned contingencies should the anticipated use of the site change before a final order is signed with the responsible parties.

"Right now, we're basing our decision on what he tells us he wants," Ballotti said.

Ballotti said it is the landowner's right to tell the EPA what the use of a property will be.

East Chicago Mayor Anthony Copeland has told the EPA that the city has interest from developers that want the property.

Copeland had asked the EPA to clean the site to residential standards before determine the future use of the property, but has indicated that a commercial or industrial use is possible.

Copeland said, in a letter to the EPA, that an industrial and commercial use for Zone 1 would attract employers and new jobs for residents in the area. Copeland told the EPA one potential use is a "high-tech training campus."

"Two developers have already expressed interest in redeveloping Zone 1 and are ready to submit proposals indicated a market and need for the proposed reuse," Copeland said, in the letter. "The city and EPA working collaboratively with developers and responsible parties can help ensure a sustainable and compatible redevelopment that supports ongoing management and maintenance and avoid the costly outcome of a vacant undeveloped site."

Former EPA Administrator Scott Pruitt put the U.S.S. Lead Superfund site, which encompasses East Chicago's Calumet neighborhood, on a list of 21 sites across the county in need of immediate and intense attention, according to a release, and later said it could be an ideal property for redevelopment.

Sherry Hunter, a founder of Calumet Lives Matter, said the city isn't doing enough in the Calumet neighborhood. Hunter said the state gave the city money to develop new housing but that's gone nowhere.

"Why is nothing being done in Zone 1?" Hunter asked.

Clamae Bullock said the neighborhood has already suffered from East Chicago's legacy pollution and it shouldn't look at more industry in the area. Bullock said the neighborhood needs new housing and redevelopment to serve the residents who have suffered from the pollution.

"We're still attempting to pick up the pieces from the last wave of industry," Bullock said.

"We want you to clean the lead to rebuild homes," Bullock said. "We want alternative 4D."

Washington Examiner: Ethanol industry doubtful of EPA's 'good news' it's increasing biofuel mandates

<https://www.washingtonexaminer.com/policy/energy/ethanol-industry-doubtful-of-epas-good-news-its-increasing-biofuel-mandates>

by John Siciliano | November 30, 2018 02:12 PM

The ethanol industry is raising doubts that Trump's Environmental Protection Agency will make good on Friday's announcement it will increase the amount of ethanol in the gasoline supply next year.

The EPA on Friday announced its new annual targets for the 2019 Renewable Fuel Standard. Under next year's program, EPA expects oil refiners to blend 15 billion gallons of corn-based ethanol into the nation's fuel supply.

Although the ethanol industry thanked EPA for keeping the standard at its maximum level for blending the alcohol fuel, the agency fell silent on whether it will continue issuing exemptions to oil refiners not to blend ethanol.

Trump lashes out at Mueller for 'screaming and shouting,' 'threatening' witnesses
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"We urge Acting Administrator Andrew Wheeler to faithfully and strictly enforce the 15-billion-gallon conventional renewable fuel requirement in 2019, rather than allowing the standard to be eroded through the use of clandestine small refiner waivers as former Administrator [Scott] Pruitt did," said Geoff Cooper, president and CEO of the Renewable Fuels Association, representing the ethanol industry.

Friday's announcement does not say it will be making up for the losses experienced last year in ethanol production, which the ethanol industry argues eroded demand and hurt corn farmers.

EPA under Pruitt issued nearly 50 "hardship" waivers to small refineries owned by giant oil firms like Chevron, leading to "demand destruction" for ethanol producers, said Cooper. The ethanol industry and corn farmers sued EPA over the oil industry exemptions, arguing that EPA's actions were illegal.

Cooper asked EPA acting chief Wheeler to "exercise the restraint and thoughtfulness" that he said Pruitt lacked. President Trump has pledged to support the ethanol program as part of a promise he made to Iowa farmers.

Meanwhile, the oil industry was disappointed with EPA's decision to keep the ethanol mandate at its maximum level, rather than follow their advice and cut it.

The American Petroleum Institute, representing the oil industry in Washington, warned that keeping the blending requirements at 15 billion gallons could harm vehicle engines, especially if more 15-percent ethanol fuel blends, or E15, are introduced in the market as a result.

"EPA's latest biofuel mandate that increases ethanol volumes in our fuel supply should concern consumers," said Frank Macchiarola, the oil group's vice president for downstream operations. "About 75 percent of the vehicles on the road today were not built for E15 and consumers could potentially face costly repair bills," he added.

The Renewable Fuel Standard raises the amount of ethanol and other renewable fuels required under law to be blended into the nation's gasoline and diesel supplies each year. The amount of fuel required to be blended next year totals 19.9 billion gallons, with corn ethanol making up the lion's share.

The fuel standard mandates that 32 billion gallons be blended in the fuel supply by 2022. Ethanol from corn is not allowed to exceed 15 billion gallons of that amount. The rest is slated to come from fuels derived from agricultural waste and other from non-food crops. But advanced biofuels have struggled to muster the supply needed to meet the end goal of the program.

US EPA keeps conventional ethanol blending mandate at 15 billion gallons for 2019

Author Meghan Gordon

Editor Keiron Greenhalgh

Commodity Agriculture

Washington — US refiners will have to blend 19.92 billion gallons of renewable fuel into the nation's transportation fuel supply in 2019, the Environmental Protection Agency said Friday.

The total is up slightly from a June proposal, with conventional ethanol blending holding steady for the third year in a row while advanced ethanol blending increases 15% from 2018.

The 2019 Renewable Fuel Standard requires refiners and importers to blend 4.92 billion gallons of advanced biofuels, including 2.1 billion gallons of biodiesel and 418 million gallons of cellulosic biofuel.

The total mandate includes an implied 15 billion gallons of conventional ethanol, unchanged since 2017.

EPA set the 2020 biodiesel blending mandate at 2.43 billion gallons, unchanged from its June proposal and up from the 2019 requirement of 2.1 billion gallons. The biodiesel volume is set one year ahead of the other categories.

The total renewable fuel volume for 2019 represents 10.97% of the US transportation fuel pool, EPA said.

Renewable Fuel Standard Volumes

	2017	2018	2019	2020
Cellulosic biofuel (million gallons)	311	288	418	N/A
Biodiesel (billion gallons)	2	2.1	2.1	2.43*
Advanced biofuel (billion gallons)	4.28	4.29	4.92	N/A
Total renewable fuel (billion gallons)	19.28	19.29	19.92	N/A

* EPA sets biodiesel requirement one year in advance

Biofuel groups took issue with EPA not accounting for small refiner exemptions that it expects to issue next year. EPA's expanded use of the waivers, which started under former EPA Administrator Scott Pruitt, was a central factor in this year's plunge in prices of Renewable Identification Numbers.

RINs are tradable credits EPA issues to track production and use of alternative transportation fuels. For corn-based ethanol, one gallon of ethanol yields one RIN.

S&P Global Platts assessed D6 ethanol RINs for 2018 compliance at 12 cents/RIN Thursday, down 0.75 cent from Wednesday on a leaked report of the final volumes. D6 RINs started the year at 70.5 cents/RIN.

D3 biodiesel RINs for 2018 compliance were assessed at 41.75 cents/RIN Thursday, down 2.25 cents from Wednesday. D3 RINs started the year at 81.50 cents/RIN.

Geoff Cooper, president and CEO of the Renewable Fuels Association, an ethanol trade group, urged EPA Acting Administrator Andrew Wheeler to strictly enforce the 15 billion gallon conventional ethanol mandate next year, "rather than allowing the standard to be eroded through the use of clandestine small refiner waivers."

"As a direct result of the exemptions, America's ethanol producers and farm families have experienced demand destruction and are now facing the most challenging economics in years," Cooper said. "In examining small refiner

exemption petitions for 2018, 2019, and beyond, we implore Acting Administrator Wheeler to exercise the restraint and thoughtfulness that clearly eluded his predecessor."

ABC: EPA watchdog says investigation into former agency chief Scott Pruitt's condo 'inconclusive'

<https://abcnews.go.com/Politics/epa-watchdog-investigation-agency-chief-scott-pruitts-condo/story?id=59522121>

By STEPHANIE EBBS Nov 30, 2018, 3:22 PM ET

The Environmental Protection Agency's inspector general informed Congress this week that it has dropped investigations into former administrator Scott Pruitt's deal to live in a lobbyist's Capitol Hill condo and alleged abuse of office, saying that Pruitt resigned before he could be interviewed by investigators.

The two investigations were demanded by outraged Democrats on the Hill who said Pruitt abused his position for personal benefit, including asking EPA employees to help him find housing and reportedly seek job opportunities for his wife. While the investigations continued after Pruitt resigned he was no longer required to cooperate.

A spokeswoman for the inspector general's office said they do not comment on closed cases and declined to answer whether Pruitt declined to be interviewed.

(MORE: Trump says EPA administrator Pruitt chose to resign, 'Scott felt that he was a distraction')

The inspector general's office also cleared appointee Samantha Dravis of allegations that she did not attend work for about three months, even though she was still being paid. Investigators said multiple witnesses and records show Dravis was working in the office and attending meetings during the time she allegedly wasn't working, so the allegations were unfounded.

In another investigation, the watchdog determined that ethics officials were not pressured to approve the controversial condo deal, even though they did say they were only informed of the details of the arrangement after Pruitt lived there for several months.

Environmental Protection Agency administrator Scott Pruitt listens as President Donald Trump speaks during a cabinet meeting at the White House, on June 21, 2018.more +

The results were announced in the inspector general's Semiannual Report to Congress, which details the offices work over the previous year. The EPA watchdog has published 52 reports in the 2018 fiscal year, including audits of Pruitt's security detail, failures that worsened the Flint water crisis, and the agency's management of asbestos in schools.